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General Assembly

Seventy-second session

Official Records

2nd plenary meeting
Friday, 15 September 2017, 10 a.m.
New York

President: Mr. Lajčák ..... (Slovakia)

The meeting was called to order at 10.05 a.m.

Agenda item 7

Organization of work, adoption of the agenda and allocation of items

First report of the General Committee (A/72/250)

The President: I invite the General Assembly to direct its attention to section I of the report of the Committee. In this section, the General Committee takes note of the information contained in paragraph 2.

I now request the General Assembly to direct its attention to section II, entitled "Organization of the session", which contains a number of recommendations concerning the General Committee, rationalization of work, the closing date for the session, the schedule of meetings, the general debate, conduct of the meetings and so on.

With regard to paragraph 22, I understand that the Special Political and Decolonization Committee (Fourth Committee) will complete its work by Friday, 10 November 2017. May I take it that the General Assembly approves the recommendation that the Special Political and Decolonization Committee (Fourth Committee) complete its work by Friday, 10 November 2017?

It was so decided.

The President: In paragraph 31, the General Committee draws the attention of the Assembly to the fact that the general debate will begin on Tuesday, 19 September, and recommends that it continue on Saturday, 23 September 2017.

May I take it that the Assembly takes note of the information contained in paragraph 31 and approves the recommendation that the general debate continue on Saturday, 23 September 2017?

It was so decided.

The President: All other recommendations in section II of the report of the Committee concern established practice, so rather than going through them one by one, I believe it would be beneficial to address as a whole all of the organizational matters concerning the General Assembly. There being no comments on that approach, we shall proceed accordingly.

May I take it that it is the wish of the General Assembly to take note of all of the information and to approve all the recommendations of the General Committee contained in section II of the report, taking into account the decision just taken regarding paragraph 22?

It was so decided.

The President: Having just adopted the recommendation in paragraph 27 on waiving the requirements of rules 67 and 108 of the rules of procedure of the General Assembly to declare a meeting open, I should like to encourage delegations to be present in the meeting rooms at the scheduled time in order to promote punctuality and efficiency in the Assembly's proceedings. I should also like to draw delegations' attention to the information contained in paragraph

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63 on the timely submission of draft proposals for the review of their programme budget implications.

I now invite members to turn their attention to section III, dealing with the adoption of the agenda. The question of the allocation of items will be dealt with subsequently in section IV.

In section III, the General Committee took note of the information contained in paragraphs 81 to 83. In paragraph 84, in connection with sub-item (e) of item 17 of the draft agenda, entitled "Financial inclusion for sustainable development", and sub-item (f) of item 17 of the draft agenda, entitled "Promotion of international cooperation to combat illicit financial flows in order to foster sustainable development", the General Committee decided to recommend their inclusion under heading A, entitled "Promotion of sustained economic growth and sustainable development in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences".

May I take it that the Assembly approves this recommendation?

It was so decided.

The President: In paragraph 85, in connection with sub-item (j) of item 19 of the draft agenda, entitled "Combating sand and dust storms", the General Committee decided to recommend its inclusion under heading A.

May I take it that the Assembly approves this recommendation?

It was so decided.

The President: In paragraph 86, in connection with item 41 of the draft agenda, entitled "Question of the Comorian island of Mayotte", the General Committee decided to recommend its inclusion under heading B, "Maintenance of international peace and security", on the understanding that there would be no consideration of the item by the General Assembly.

May I take it that the Assembly approves this recommendation?

It was so decided.

The President: In paragraph 87, in connection with sub-item (b) of item 52 of the draft agenda, entitled "Joint panel discussion of the First and Fourth Committees on possible challenges to space security and sustainability", the General Committee decided to recommend its inclusion under heading B.

May I take it that the Assembly approves this recommendation?

It was so decided.

The President: In paragraph 88, in connection with item 63 of the draft agenda, entitled "Question of the Malagasy islands of Glorieuses, Juan de Nova, Europa and Bassas da India", the General Committee decided to recommend that consideration of the item be deferred to the seventy-third session of the General Assembly and that the item be included in the provisional agenda of that session.

May I take it that the Assembly approves this recommendation?

It was so decided.

The President: In paragraph 89, in connection with item 67 of the draft agenda, entitled "Complete withdrawal of foreign military forces from the territory of the Republic of Moldova", the General Committee decided to postpone its consideration of the question of inclusion of the item to the next meeting of the General Committee, to be held in October.

In paragraph 90, in connection with item 83 of the draft agenda, entitled "Expulsion of aliens", the General Committee decided to recommend its inclusion under heading F, "Promotion of justice and international law".

May I take it that the Assembly approves this recommendation?

It was so decided.

The President: In paragraph 91, in connection with sub-item (ii) of item 100 of the draft agenda, entitled "Nuclear disarmament verification", the General Committee decided to recommend its inclusion under heading G, "Disarmament".

May I take it that the Assembly approves this recommendation?

It was so decided.

The President: In paragraph 92, in connection with item 133 of the draft agenda, entitled "Sexual exploitation and abuse: implementing a zero-tolerance policy", the General Committee decided to recommend its inclusion under heading I, "Organizational, administrative and other matters".

May I take it that the Assembly approves this recommendation?

It was so decided.

The President: In paragraph 93, in connection with item 134 of the draft agenda, entitled "The responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity", the General Committee decided, by a recorded vote, to recommend its inclusion under heading I.

Before proceeding further, I should like to draw the attention of members to rule 23 of the rules of procedure, which reads as follows:

> "Debate on the inclusion of an item in the agenda, when that item has been recommended for inclusion by the General Committee, shall be limited to three speakers in favour of, and three against, the inclusion. The President may limit the time to be allowed to speakers under this rule."

I now give the floor to the representative of the Syrian Arab Republic.

Mr. Al Arsan (Syrian Arab Republic): In reference to the request for inclusion made by Australia and Ghana, my delegation would like to once again express its deep concern about the insistence of both permanent representatives on breaching the understanding that exists among Member States that we should continue to discuss the issue of the responsibility to protect in the framework of informal dialogue sessions.

I would like to make it clear to the Assembly that mine and many other respected delegations are not opposed to the concept of the responsibility to protect. Today, however, we are here to stand up for the principles of the Charter of the United Nations and to defend democratic and fair practices in the United Nations. Today, regrettably, we are dealing with undemocratic and non-transparent practices on the part of some Member States that could have serious consequences for the prospects of reaching an understanding in the Assembly on the concept, essence, pillars and regulations of the responsibility to protect.

Needless to say, the effort to bridge the differences between Member States is a response to legitimate concerns about the tendency of some Governments to misuse the notion of the responsibility to protect as a pretext for military aggression against other States or political intervention in their internal affairs. We are not talking about mere hypothetical or possible situations but rather about real tragedies and consequences that have occurred and continue to occur in many countries because military force is used under a pretext of humanitarian concern. We therefore do not accept the argument of some members that the responsibility to protect is a purely humane concept devoid of any political considerations.

I would like to draw delegations' attention to part of the Secretary-General's statement at the informal dialogue session on the responsibility to protect held on 6 September, in which he said that

> "[t]he responsibility to protect still generates some discomfort for a number of States, and the main concern is that the principle will be used to impose international approaches on national problems in ways that may harm national sovereignty."

Unfortunately, that fact, endorsed by the Secretary-General, was not reflected in his annual report (A/71/1016) or in the summary of the informal interactive dialogue session of 6 September, which once again confirms the concern of a considerable number of Member States that there is a tendency among some Member States to act in an undemocratic and non-transparent way in order to impose their position on this issue and ignore the substantive concerns of many Member States.

In conclusion, and based on what I have just pointed out, my delegation calls for a vote on the request for the item's inclusion on the agenda and urges all delegations to act responsibly so as to give the informal interactive dialogue a chance to bridge the gaps and reach consensus on the concept, essence and regulation of the responsibility to protect.

Mrs. Pobee (Ghana): At the outset, let me warmly congratulate you, Sir, on your election to preside over the General Assembly at its seventy-second session. We commend you for the able manner in which you have already begun to conduct the affairs of the Assembly, and I would like to assure you of our full support.

My delegation, like many others, shares the view that Member States must take urgent steps to improve the prevention of atrocities and affirm the importance of the principle of the responsibility to protect in such efforts. Ghana is of the view that the principle of the responsibility to protect remains relevant both as an expression of political commitment and as a

blueprint for action to prevent and end genocide, war crimes and crimes against humanity. Time and again we have reiterated our support for the framework for implementing the responsibility to protect based on the principle's three equal and mutually reinforcing pillars.

However, we acknowledge that some concerns have been raised about the concept and that we are not all on the same page, which is precisely why Ghana and Australia have requested the inclusion of an item on it on the agenda of the General Assembly at its current session, so that we can exchange views on the responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity. We are aware of those differences and concerns, but rather than letting them prevent us from deliberating on and confronting the challenges surrounding the concept, we see them as justification for dialogue in a format that allows our views to be recorded and taken on board. We strongly believe that sincere, transparent and constructive dialogue will help us find further common ground.

The General Assembly occupies a central position in the United Nations as its main deliberative, policymaking and representative organ. It provides a unique forum not only for the discussion of international issues but also for the processes of standard-setting and codifying international law. The request for the inclusion of such an agenda item by Australia and Ghana, in accordance with rule 14 of the rules of procedure, is in the very spirit and essence of our Organization. In seeking a one-time opportunity for a formal thematic debate in this session on the responsibility to protect, it is not our intention to have a draft resolution adopted but to achieve the more important aims of fostering dialogue, helping to build a consensus on the issue and finding further common ground on how best to prevent genocide, war crimes, ethnic cleansing and crimes against humanity.

In that regard, we wish to recall that the first report on this issue (A/63/677), entitled "Implementing the responsibility to protect", was presented by the then Secretary-General in 2009 and was considered later that year in the General Assembly's first and so far only debate on the subject. In resolution 63/308, the General Assembly took note of the Secretary-General's report and the debate on it and decided to continue its consideration of the responsibility to protect. Eight years have now passed since the General Assembly formally considered the responsibility to protect on its agenda. While we acknowledge that the annual informal interactive dialogue on the responsibility to protect has an important role to play, we consider it important to ensure that the General Assembly fulfils the role foreseen for it in the 2005 World Summit Outcome document and subsequent resolutions. Now is a timely opportunity to do so.

The Secretary-General's 2017 report on the responsibility to protect (A/71/1016), which makes it clear that the principle is a key component of his preventive agenda, underlines the need for a continuous, frank and inclusive dialogue on the issue. His far-reaching recommendations include calling on Member States to consider including a specific item on prevention and the responsibility to protect on the General Assembly's formal agenda. Both the report and the interactive dialogue held on 6 September have reaffirmed the wide agreement on the need for the General Assembly to move beyond an informal interactive exchange of views on a matter of such importance. In view of all of this, we strongly encourage Member States to vote for the inclusion of this item on the agenda of the Assembly at this session.

Mr. Van Oosterom (Netherlands): As this is the first time I am speaking during your able presidency, Sir, I would like to congratulate you, as the representative of Ghana just did, on your election, and to assure you of my delegation's full support to you in your work in the coming year.

The Kingdom of the Netherlands strongly supports the General Committee's recommendation that the responsibility to protect be included in the formal agenda of the General Assembly. With that, we, as an international community, will be able to facilitate a frank and inclusive dialogue. Exchanging views and experiences will help us to build common ground, an important step towards the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity. The gap between our stated commitment to the responsibility to protect and the daily reality for people confronted with mass atrocity crimes must be closed. To do that, we should use all of the tools at our disposal to provide early warning. We believe that discussing the responsibility to protect in the General Assembly will be a significant step forward.

As Ghana's statement indicates, we understand that differences of opinion exist on the concept of responsibility to protect and its implementation. But let us discuss those differences here in the Assembly,

because that is why it exists, to enable us to have open and frank dialogue.

We think that the recommendation of the General Committee should be approved, and we call on all Member States present here today to join us in our support for including this item on the agenda and having a substantive discussion here in the General Assembly.

Mr. Ramírez Carreño (Bolivarian Republic of Venezuela) (*spoke in Spanish*): We would like to reiterate our support for the statement by the representative of Syria. Our country is opposed to seeing the topic of the responsibility to protect included on the Assembly's agenda at its seventy-second session, and we will provide our reasons for that decision in our explanation of vote before the voting. We believe that this issue, which has generated serious discussion and goes against the principles enshrined in the Charter of the United Nations, particularly those relating to the sovereignty of States, should enjoy consensus on the part of all members and should not be imposed by way of a vote.

Mr. Zagaynov (Russian Federation) (*spoke in Russian*): Needless to say, Mr. President, we are delighted to be able to join previous speakers in congratulating you and wishing you every success in your work.

My delegation has consistently advocated for strengthening States' capacity to protect their peoples from genocide, war crimes, ethnic cleansing and crimes against humanity. We participated actively in preparing the elements of the concept of the responsibility to protect that were included the 2005 World Summit Outcome document. Even at the time it was extremely difficult to reach a consensus on them, and since then the major contradictions around the concept have only deepened, while some well-known instances of its application in practice have had disastrous consequences. In the light of that, including a new item on the responsibility to protect on the General Assembly's agenda is premature and a mistake. Moving on to the next stage, raising the status of the discussions and formalizing the process can only result in further hardening States' positions. Many delegations expressed disagreement with the proposal to include the topic on the Assembly's agenda, culminating in a vote in the General Committee on 13 September. The result is that the fragile consensus on the concept's elements continues to fray.

It is no coincidence that in 2009 delegations chose the format of the informal interactive dialogue to discuss this topic, for reasons that include the fact that the concept was not fully formulated, that a number of States did not agree with its broad interpretation and that there were serious disagreements about its implementation. These factors were evident during the recent discussion of the latest report on the subject (A/71/1016), which contained some very controversial and far-reaching opinions and approaches. In the circumstances, we believe that the current format for considering the topic is perfectly adequate to meeting the mandate in resolution 63/308, and we see no reason to change or duplicate it. My delegation will vote against the inclusion of the item on the responsibility to protect on the agenda of the General Assembly at its seventy-second session, and we urge others to do the same.

Ms. Bird (Australia): The Charter of the United Nations tells us that one of the purposes of the Organization is to achieve international cooperation in solving international problems of a humanitarian character, and in promoting and encouraging respect for human rights and fundamental freedoms for all. The drafters who wrote those words had fresh in their minds the horrors of the Second World War and the genocide, war crimes, ethnic cleansing and crimes against humanity that had been committed under the cloak of war. Uniting nations to stand together against such crimes was in many ways the raison d'être of this Organization. A generation ago, in the wake of the genocides in Rwanda and Srebrenica, we realized that the United Nations had not fulfilled that promise, and we recommitted to trying to do better.

In the face of the egregious crimes being committed today in places such as Syria, we have once again come together to affirm that we must do more to prevent and address those crimes, and that we must do it differently. In particular, since Secretary-General Guterres took office, the idea of prevention has become our new clarion call. He has made it clear that the responsibility to protect is a key element of his prevention agenda and has recommended that the General Assembly hold a debate on prevention and the responsibility to protect. In partnering with Ghana to request that this item be included on the Assembly's agenda, we are responding to that recommendation. We are also responding to the repeated calls for a debate on the subject in the Assembly from States with outstanding concerns about the responsibility to protect — States that have said that

it is the General Assembly, not the Security Council or the Human Rights Council, that should be leading the way on the responsibility to protect.

In bringing forward that request, our one and only goal has been to foster dialogue and help build a consensus on what the United Nations and Member States should do to prevent genocide, war crimes, ethnic cleansing and crimes against humanity. We understand that certain Member States' views on the responsibility to protect differ from ours. Resolving differences in views through debate and consensus-building, however, is precisely the reason we come together in this Hall. Indeed, we had hoped that holding an open, transparent and inclusive debate was something that we could all agree on, given that it will enable all Member States to put their views on the record. A debate is purely and simply an opportunity to share experiences and views, and to learn by listening to one another.

We worked hard to try to reach a consensus. At every step, we have listened and tried to accommodate people's concerns, and we are grateful to the many delegations that took the time to meet with us at this busy time of year. Together with Ghana, the Australian delegation has expressly stated — in writing and in person — that we will not put forward a draft resolution as an outcome to the debate. We have made it clear that the proposal before the Assembly concerns a debate in the seventy-second session only. We have underlined that what is proposed is a thematic debate, not the consideration of specific countries' situations.

Twelve years ago, Heads of State and Government agreed unanimously that the General Assembly should continue its consideration of the responsibility to protect. It has now been eight years since the Assembly's one and only debate on the subject. Our actions are not hasty. Indeed, in our view, bringing the membership together to debate something that is fundamental to the very purpose of the United Nations is well overdue. Australia is disappointed that a small number of States are not willing to have a conversation about the responsibility to protect and prevention. We are disappointed that the General Committee's recommendation that the item be included on the agenda is being challenged.

Today's vote says nothing about paragraphs 138 and 139 of the World Summit Outcome document. That is merely a procedural matter resulting from certain States' unwillingness to have a dialogue on prevention. Australia urges all Member States to vote to confirm the General Committee's recommendation that the item on the responsibility to protect and prevention be included on the Assembly's agenda. Every vote in favour will demonstrate our commitment to working together to prevent genocide, war crimes, ethnic cleansing and crimes against humanity.

The President: We shall now proceed to consider the question of the inclusion of the item on the agenda of the Assembly at its current session. Before giving the floor to those members wishing to speak in explanation of vote before the voting, I would like to remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Jürgenson (Estonia): I have the honour to speak on behalf of the European Union (EU).

The EU and its member States support including the responsibility to protect on the formal agenda of the General Assembly. In the face of an alarming trend in the increasing number of deliberate attacks on civilians, we must close the gap between rhetoric and actions. We must better harness the preventive potential of the concept of the responsibility to protect. A good way to do that is by formalizing our dialogue on the subject in the General Assembly. There is much that we all agree on, and only by deliberating on it and discussing it can we move to appropriate action. For that reason the EU member States will vote in favour of keeping the item on the responsibility to protect on the Assembly's provisional agenda, as recommended by the General Committee.

Mrs. Rodríguez Abascal (Cuba) (*spoke in Spanish*): Since this is the first time that my delegation is taking the floor in this session, we would like to congratulate you, Mr. President, on your election and affirm our support to you in performing your duties.

The delegation of Cuba is grateful to the Secretary-General for his efforts in preparing the most recent report on the responsibility to protect (A/71/1016) and for the interactive dialogues that have already been held on the subject with Member States. Cuba would like to recall that the issue of the responsibility to protect has continued to lead to a number of serious concerns for a number of countries, particularly small and developing States, because of the lack of consensus and guidelines on the various elements of the topic, which can easily be manipulated for political purposes.

In that regard, we would like to emphasize that such manipulation and politicization have been apparent not only in some recent tragic cases where the responsibility to protect has been implemented, but also in the outcomes of our discussions in the latest informal interactive dialogue in the United Nations. To mention only two examples, I would point to the partiality of the panelists selected and, above all, the lack of transparency in the most recent report summarizing the informal interactive dialogue held on 6 September, which ignored the position of a number of States that clearly expressed their concerns about and disagreement with the intended implementation of the responsibility to protect, based on the lack of an international consensus on the concept.

With this in mind, Cuba believes that now is not the time for the General Assembly to enter into a frank and transparent dialogue on the responsibility to protect. Our prestigious representative organ should not dive prematurely into a debate that would serve only to exacerbate existing differences within the Organization, given that we do not yet have a consensus on what the scope and implications of the topics should be. Such a consensus will be vital to resolving our differences in interpreting the responsibility to protect in order to guarantee its recognition and universal acceptance and to legitimize the proposed actions for implementing it. That is the only way to ensure that some States do not selectively manipulate the concept, as they have already been doing, in order to facilitate interference in the domestic affairs of sovereign States and promote agendas for regime change and acts of subversion against certain countries — most of them small and developing countries — that would be in violation of the Charter of the United Nations.

Mr. Akbaruddin (India): Like the rest of my colleagues, I too would like to begin by thanking you, Mr. President, and wishing you success as you take on the task of presiding over our deliberations.

I am taking the floor today to explain our vote on the General Committee's recommendation that the Assembly include on its agenda for the seventy-second session an item entitled "The responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity".

In its past few sessions, the General Assembly has focused on revitalizing its work in carrying out its role as a deliberative and norm-setting organ, as envisaged in the Charter of the United Nations. Today, very early in this seventy-second session, we are faced with the option of deciding whether we are ready to move forward in that process. We are called on to decide whether we should discuss and deliberate on an issue that has enormous relevance for our work and indeed for our times. State sovereignty is a well-established principle of international law. It has been the bedrock underpinning inter-State relations for several centuries now. However, developments have also shown that concerns are growing that the cardinal principle of State sovereignty has not always been able to prevent atrocity crimes.

Like many other countries, India recognizes the importance of finding appropriate ways to address such legally complex and politically challenging issues. It is evident that we need to reflect on the gaps in our understanding of the concepts behind the responsibility to protect and ensure that the quest for a more just global order is conducted in a way that does not undermine international order itself. Such thematic consideration requires open, inclusive and transparent discussions and must address a host of unresolved legal and politically sensitive principles on which there is clearly no consensus.

India has consistently held the position that protecting its population is one of the foremost responsibilities of every State. The right to life is a right from which no derogation is permitted. While reflecting the will of the people, States also exist to protect the rights of the people. We have noted the affirmation by the sponsors of the proposal that their aim is only to have a debate at the seventy-second session. The objective that they have articulated is to hold a thematic debate rather than one addressing country-specific situations. They have also indicated that they are not seeking the adoption of any resolution. That is in line with our own understanding that the gravity of the normative concepts at stake requires careful deliberation rather than pre-emptive decision-making. It is with this understanding that my delegation will vote in favour of the recommendation of the General Committee to include this item on the agenda of the seventy-second session of the General Assembly.

Mr. Remaoun (Algeria) (*spoke in Arabic*): This is my first time I am taking the floor under your presidency, Sir, and I congratulate you on your election to lead the General Assembly at its seventy-second

session. My delegation would like to assure you of its full support.

(*spoke in English*)

With regard to the matter under consideration, we would first like to thank Ghana and Australia for their proposal. We also thank the General Committee for considering it. In my explanation of vote before the voting, I will refrain from delving into the substance of the concept of responsibility to protect or elaborating on the negative consequences that we have already seen since it was first implemented, some years ago.

We are all aware that the question of responsibility to protect is a highly divisive one that does not enjoy any kind of consensus. The issue continues to raise serious doubts among many countries, particularly developing countries, owing to a lack of consensus and of definitions for many elements of the concept. I should emphasize that the concept is fundamentally a legal one and that any new international legal concept that does not enjoy consensus will automatically lack legitimacy and be seen as politicized.

We all know that the United Nations already has a forum that is dedicated to dealing with legal issues — the Sixth Committee, which is the primary forum for the consideration of legal questions in the General Assembly. It has an express mandate to promote the progressive development of international law. We also all know that the practice in the Sixth Committee is never to vote on legal questions to be added to its agenda or on those that are already under consideration on their way forward. Last year, for instance, the agenda item on the responsibility of States for internationally wrongful acts, addressed in the Sixth Committee, received the support of an overwhelming majority for organizing a diplomatic conference, based on International Law Commission articles, to negotiate a new treaty on States' responsibility.

The Group of African States, the Group of Arab States, the Community of Latin American and Caribbean States and many delegations from the Group of Asia-Pacific States and the Group of Western European and other States supported moving forward with this idea. However, given the reservations expressed by about 10 delegations, all of us in the Sixth Committee decided to continue discussions on the matter in subsequent sessions, owing to the lack of consensus.

Now, in the case of the responsibility to protect, we already have an annual informal debate that constitutes a good forum where States can exchange views and interact on the subject. My delegation therefore does not see any added value in including it on the agenda of the General Assembly; indeed, it would be irrelevant to include it as an item to be discussed in plenary of the Assembly. For that reason, my delegation is not in favour of including the responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing, and crimes against humanity as a supplementary item on the agenda of the Assembly at its seventy-second session.

Mr. Ramírez Carreño (Bolivarian Republic of Venezuela) (*spoke in Spanish*): Before explaining our vote, Mr. President, I would like to congratulate you formally on your election to lead the Assembly for this session. I know that we already congratulated you earlier, but I would like to reiterate it here in plenary. You can count on our full support.

The Bolivarian Republic of Venezuela will vote against the inclusion of this item on the agenda of the General Assembly at its seventy-second session because in our view it continues to provoke serious disputes, controversies and concerns among Member States that should be taken into account when we are talking about an item as important this one. Definitions of the principle's concept and scope are seriously lacking, creating a serious risk of undermining the sovereignty of States as one of the guiding principles of international relations. We also believe that its ambiguity can lead to confused or self-interested interpretations, as we have seen occur in policies with double standards in this very Organization, to the detriment of the principles enshrined in the Charter of the United Nations of respect for sovereignty, non-interference in domestic affairs, the prevention of threats and the use of force, and the peaceful settlement of disputes.

Today's vote makes it impossible for us to achieve a consensus on the concept of the responsibility to protect. Our reservations are based on the realities of the traumatic experience of armed intervention and military aggression that have been perpetrated in the past few years against various peoples and countries in efforts to overthrow their Governments, resulting in the destabilization of whole regions and the dismantling of State institutions. Several of those have already been mentioned today, of which I would single out the dire situations in Iraq, Libya and Syria.

I would like to reiterate that Venezuela is firmly committed to the necessity of preventing crimes against humanity, war crimes, genocide and ethnic cleansing, and we have always condemned and denounced such grave crimes and will continue to do so in this Organization. However, we have always been in favour of dealing with such situations through open and transparent discussion in the informal dialogue format. In our view, raising its status to that of formal debate, besides being premature, could make it possible for an issue of this importance, based on a founding principle of the Charter, to become a tool for aggression against individual countries. While I do not believe that would happen in this session, it could happen in future once the door has been opened.

We believe that the prevention of the crimes cited in the Rome Statute should be based on the importance of promoting a dialogue on the peaceful settlement of conflicts, always keeping in mind Chapter VI of the Charter, and not on military aggression, with its disastrous consequences for the peoples whose rights were supposed to be defended. This is a matter of effectively implementing the purposes and principles of the United Nations Charter.

We are also seeing a dangerous trend in overlap between the purviews and responsibilities of the various bodies of the Organization. For example, the Security Council is now considering some questions previously outside its remit and is now attempting to equate the responsibility to protect with the principle of State sovereignty as outlined in the Charter and thereby interpreting the Charter to suit itself. My country believes that the responsibility to protect its citizens, including promoting and respecting their human rights, belongs to the State, based on its sovereignty and political independence. If any State deviates from that purpose of the Charter, there is a mechanism envisaged in Chapter VI to enable the United Nations to take action to protect the people.

Venezuela believes that there continue to be profound differences within the Organization as to the scope of the concept of the responsibility to protect, which is why we are of the view that it would be premature to put it on the Assembly's agenda at its seventy-second session. If it is included, we are prepared to discuss it, but we want to issue a warning about the possible dangers and consequences of discussing a topic as important as this that cannot count on having a consensus in the Organization. We are part of a number of countries that have severe objections to this principle and concept, and we hope that they will be taken into account in a discussion that should be entirely transparent and based on a consensus on the part of all our members.

Mr. Shava (Zimbabwe): Zimbabwe would like to reiterate its congratulations to you, Mr. President, on your election to this very important post. We have met previously in other circumstances, but I felt I should express it here too. We would like to assure you of our full support during your term of office.

We are grateful for the opportunity to articulate our concerns about including the item on the responsibility to protect, as it enables Member States to continue exchanging ideas on the modalities for applying this important principle. The United Nations needs to seek the broadest possible conceptual, political and operational consensus on the responsibility to protect in order to gather support from all Member States on its implementation.

At the moment, that broad consensus continues to be elusive, since differences in the interpretation of the World Summit Outcome document have increased more than could ever have been imagined back in 2005. The World Summit did not articulate any precise modalities for implementing the principle of the responsibility to protect, leading to further negotiations and consultations with regard to the Charter. We still have a long way to go to agree on a way forward. We would like to stress that the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity is the primary responsibility of individual Member States, and should not be a pretext for interference in the internal affairs of States by some members of the international community.

The third pillar emphasizes the international community's responsibility for ensuring the use of the peaceful settlement of disputes and regional arrangements to assist in protecting the citizens of an individual Member State from such crimes. There can be no justification for an interventionist approach that subverts the primary responsibility of Member States for protecting their peoples from atrocity crimes. That is the fundamental understanding for many Member States of the spirit of the World Summit of 2005. They have continued to raise concerns about this premature elevation of the responsibility to protect from concept

to concrete action and therefore need to be assured of its objective, just and transparent application.

While there is already strong scepticism on this issue in the wake of various attempts to use the responsibility to protect as a tool for furthering the interests of some members of the Security Council by interfering in the internal affairs of other Member States, considerable ambiguity still exists about the terms and conditions under which coercive military intervention is legitimate. The evidence shows that decisions to intervene militarily are based on self-interest, without which the political commitment needed to sustain such an operation cannot exist. The massive scale of destruction and the cost of reconstruction are eloquent evidence of how military intervention can make an averted atrocity crime unimaginably worse.

We would like to stress that if preventive and protective intervention is to become a global policy, an appropriate international legal framework will be needed to reduce the propensity to use brute military force against Member States in the name of the responsibility to protect. The more that the notion of the responsibility to protect is used as a basis for military intervention, the more likely it is to be discredited. The use of military force must always be a last resort, not the primary or only means of intervention. And when the entry and exit points for any military intervention are not clearly defined, that can lead to unintended extended mandates.

The current application of the responsibility to protect is highly interventionist rather than focused on ending hostilities through diplomacy, mediation and other tools of capacity-building, which suggests that we must adhere to a universal model of State sovereignty if we are to preclude international intervention. We support the call for more dialogue on the responsibility to protect and reiterate the need for open, sincere and transparent dialogue aimed at bridging the existing conceptual gaps among Member States before we can move forward. We also support the view that Member States are already conducting regular risk assessments on atrocity crimes and taking the necessary mitigation measures with or without multilateral assistance through the Universal Periodic Review in the Human Rights Council. Such initiatives can be strengthened further to obviate some of the political and legal gaps in the selective process of implementing the responsibility to protect, which is a violation of the Charter of the United Nations.

In conclusion, we would like to reiterate that there we still need more dialogue and consultations on the precise modalities and framework under which the responsibility to protect is shared between Member States and the international community as a whole. Member States have persistently called for further dialogue on the matter, in order to garner broad consensus on the concept and principle of the responsibility to protect, before the United Nations can move from principle to practice on preventing atrocities. Accordingly, Zimbabwe will vote against the inclusion of this item on the agenda.

Mr. Nasimfar (Islamic Republic of Iran): At the outset, Mr. President, I would like to congratulate you on your election to guide the General Assembly at its seventy-second session and to wish you success in all of your endeavours.

The Islamic Republic of Iran is party to the Convention on the Prevention and Punishment of the Crime of Genocide and is fully commited to its obligation under the Convention to prevent genocide and punish all perpetrators of such heinous acts. We also strongly condemn any atrocity crimes, such as crimes against humanity, war crimes, crimes of aggression and ethnic cleansing. Moreover, we are adamant on the necessity to protect populations from the risk of atrocity crimes. Needless to say, we believe that every State should embrace that responsibility with regard to its citizens. That should certainly never imply that it should be allowed to use force against another State under such pretexts as humanitarian intervention.

We shall vote against including the responsibility to protect on the agenda of the General Assembly at its seventy-second session, not because we are opposed to the intrinsic purpose of the concept, but rather to draw the attention of Member States to its biased interpretation and application, which is a trend that could ultimately undermine the legitimacy of the United Nations. The responsibility to protect may come to be considered a noble and valuable initiative if it can become a balanced, unbiased and non-politicized set of principles applicable to all. However, the actions and inactions of proponents of the responsibility to protect in the past have not been consistent with the alleged objectives and purposes of such initiatives.

It would seem in theory that protecting a population should be at the centre of the responsibility to protect, but in practice we have seen that it is guided by the

politicized interests of States rather than by concerns about human dignity and human rights. That is why the current legal gaps in the concept of the responsibility to protect, along with its selective application, have called into question its legitimacy and applicability as a principle of international law. One thing is obvious, which is that favoured States have always been granted impunity and had their atrocities overlooked, however serious they are. It also seems that the idea of the responsibility to protect is gradually being developed not as a means to address every dire situation, but as a concept or political tool for paving the way for interventionist policies whenever they are needed and in a selective manner, in clear contradiction of the Charter of the United Nations. That is the real challenge for the responsibility to protect. Selectivity, double standards and politicization make it prone to manipulation and abuse.

We will vote against the proposal so as to emphasize the existing shortcomings and challenges of the responsibility to protect. We want to send its proponents the message that its abuse on political grounds has already reduced it to the level of a tool at the service of certain Powers and has increased the doubts about its future applicability and success. We also believe that the only way to restore the responsibility to protect and its legitimacy is to do away with its selectivity and to define the concept and its scope of application in a way that genuinely addresses the plight of humankind whenever it faces atrocity crimes, in full conformity with the purposes and principles of the Charter. Addressing the misery of people under occupation is the foremost test of the responsibility to protect.

We are ready to enter into meaningful dialogue with the proponents of the initiative, in an organized and transparent manner, in order to define the normative content, objectives and scope of application of the responsibility to protect. We maintain that such a discussion should be legal rather political, and that therefore, after its inclusion on the General Assembly's agenda, it should be transferred to the Sixth Committee so that Member States can reach a consensus on their understanding of the notion before talking about its implementation.

Mr. Varankov (Belarus) (*spoke in Russian*): We have complied with all the protocol formalities. The delegation of Belarus regrets the recommendation of the General Committee to include this item on the agenda of the General Assembly at its seventy-second session, and we will vote against it.

The most contention and inconsistent part of the concept is its third component, which allows for foreign interference. By restricting the immutable principles of non-interference in the internal affairs of States, the non-use of force or threat of its use, which are enshrined in the Charter of the United Nations, the implementation of the concept in the format currently suggested by its proponents is a mistaken interpretation of the 2005 World Summit Outcome, which undermines the initial consensus nature of the concept and provides individual States with an additional tool to put political and military pressure on other countries.

This is why, before we move on to formal consideration of such an important global agenda item, we should determine the scope of the principle and agree on a clearly balanced mechanism for the practical application of foreign interference. Such a possibility should arise only in the most extreme situations and only with the sanction of the Security Council, in strict compliance with the Charter of the United Nations. We are firmly opposed to a manipulative approach to presenting the outcomes of discussions on the concept and to using the tools at the disposal of the United Nations Human Rights Council, which has lost the trust placed in it, having become the most biased and politicized body of the United Nations system. We also urge other countries to vote against the inclusion of this item on the agenda.

Mr. Allen (United Kingdom): I join others in congratulating you, Mr. President. I look forward to you bringing Slovak wisdom to our debates.

The United Kingdom continues to support the principle of the responsibility to protect, and we would welcome the inclusion of the responsibility to protect on the formal agenda of the Assembly. The responsibility to protect is clearly within the scope of the Charter of the United Nations and, as set out in Article 10 of the Charter, it falls within the remit of the General Assembly to discuss. In the 2005 World Summit Outcome document, members stressed the need for the General Assembly to continue consideration of the responsibility to protect.

I have listened carefully to the arguments of those opposing this agenda item and I want to say that I respect those arguments and those who make them. They are important arguments and they deserve to be

properly discussed. If we, as an Assembly, discuss only what we all agree on, then we will be able to save a lot of time and money and finish our deliberations in about a fortnight. We therefore believe that the time has come to discuss the responsibility to protect in the more formal setting of the General Assembly. We encourage Member States to support such discussion and respectful, important debates, irrespective of their substantive views on the responsibility to protect.

Mr. Mohamed (Sudan): I would like to seize the opportunity to congratulate you, Mr. President, on your assumption of the presidency of the General Assembly for this session. As this is the first time that I am addressing you, Sir, I wish you all the best in the work of the General Assembly on its different agenda items.

Having said that, we concretely believe that the responsibilty to protect should not be used as a political tool to achieve narrow interests, as it has clearly become, or to trade in the suffering of civilians. It is quite notable that there is no consensus on the concept — it is not a principle — of the responsibility to protect. There are still lingering concerns regarding its definition, scope and implementation. Therefore, in our humble opinion, more discretion, research and analysis of its ingredients, pillars, causes and consequences are needed. It is totally premature now to assign the concept to the agenda of the General Assembly. We need to answer these questions: do we have a real, unequivocal legal reference for the responsibility to protect? What is the limitation on the consent given by world leaders at the 2005 World Summit? Is it a direct mandate to apply the responsibility to protect? How can we be assured that it will not be politically exploited?

We are a developing country, like so many countries in the Hall. We are a developing country in Africa. We are very concerned about the selective application, which is unfortunately inevitable, of the responsibility to protect outside the legitimacy of the Charter of the United Nations, especially outside the power of the Security Council under Chapter VII when it acts on behalf of all the membership of the United Nations in maintaining peace and security worldwide and suppressing serious violations of human rights, including those against civilians.

In the early 1980s, as we said last year before the Security Council, a member of the Council expressed, together with other members, a rejection of the responsibilty to protect as a dubious concept that takes the guise of the protection against atrocities but which is in fact aimed at enhancing individual interest. We believe that this argument is still valid, and that is why we are calling for a discussion and the non-imposition of this non-consensual concept and non-consensual agreement in the Hall by the General Assembly or one of its main Committees.

The responsibility to protect amounts to amending the Charter in an unfortunate way, with devastating consequences for the future of security and peace in the world. We are saying this based solely on the experience of the international community in recent decades. That is why we are strongly calling for restraint in this regard. Therefore, we are going to vote against this and, for the sake of dialogue and multilateralism, we ask all members in the Hall to do the same.

Mr. Warraich (Pakistan): At the outset, let me join others in congratulating you, Mr. President, on your assumption of the office of the President of the General Assembly.

The notion of the responsibility to protect is highly divisive. The selective and biased application of this notion has further eroded global confidence and support to it. We believe that, in this setting, a one-off General Assembly debate will have little if any utility in furthering our common understanding of and consensus over the issue. It will only accentuate existing differences, not help bridge them.

It is for this reason that my delegation will vote against the inclusion of this item in the agenda of the seventy-second session of the General Assembly.

Mr. Simonoff (United States of America): The United States supports the inclusion of the responsibility to protect in the agenda of the seventy-second session of the General Assembly. In general, the General Assembly has taken a permissive approach to the inclusion of items in the agenda. We note that there are many agenda items on the agenda of this body where there is no consensus on the substance of the item. But lack of consensus on the substance does not prevent the General Assembly from debating the item.

We welcome the Secretary-General's recommendation that the General Assembly debate the issue of the prevention of atrocities, and we welcome Australia's and Ghana's initiative to propose the inclusion of this item in the agenda. A transparent debate in this Hall where differences of views can be thoroughly aired would be

healthy for this body. We encourage all Member States to vote in favour of including this important item in the General Assembly's agenda.

Mr. Tito (Kiribati): I am very new here — only two days old — as the Permanent Representative of my country. I thank the Secretary-General for accepting my credentials just two days ago.

On behalf of the Government and the people of Kiribati, one of the most peaceful spots on the planet, I would like to see the item under discussion included in the agenda of the seventy-second session so that we have time to discuss it. I feel that we are killing it — a beautiful child that has to be born — here, by preventing it from being born. It needs to be born so that we can discuss it later on and decide what we are going to do with it.

I speak in my capacity as former President of Kiribati and as one who was also instrumental in introducing the concept to the Pacific region, when the Pacific region met in my country in the millennium year 2000. At that time, we agreed to have the concept introduced into the Pacific region in the form of the Biketawa Declaration. You must have seen it in the documents, Mr. President.

The Biketawa Declaration grants to the Pacific Islands Forum, which represents the 16 member countries of the Pacific region, the right to protect and intervene in the sovereignty of countries when they have serious security problems. In this regard, I am pleased to say that Australia did very well when it put the Biketawa Declaration into action in the Solomon Islands, where we all helped. Policemen from different islands went there to provide assistance, and the Solomon Islands were very grateful for that, as far as I understand.

I therefore see the concept already working in the Pacific starting in the year 2000 and I do not see why it would not work for the world as a whole, where I see so many people wanting protection, children suffering — some 30 million in the Arab world, I heard in the UNICEF meeting. Some 360 million people worldwide are suffering from armed conflicts. What are we doing about it? We should discuss it. I am not say that we have the solution now, but I believe that this is the way forward.

Mr. Van Oosterom (Netherlands): I thank you, Mr. President, for presiding over the great debate we are having today. A visitor from outside looking down and listening to us in the past hour would assume that we had already approved the recommendation to have a debate here in the General Assembly on the issue of responsibility to protect.

I have heard colleagues say that we need more discussion and that there is no consensus. I think the discussion we have had in the past 45 minutes proves their point. We do need more discussion. Let us approve the recommendation and let us have this very valid and very valuable discussion between those in this Assembly who agree and those who do not agree on the substance. That is what we are here for, and I therefore hope that the recommendation will be approved.

Mr. Ri Song Chol (Democratic People's Republic of Korea): First of all, I would like to congratulate you, Mr. President, on your election as President of the General Assembly at its seventy-second session.

The responsibility to protect people from genocide, war crimes, ethnic cleansing and crimes against humanity is within each country's sovereignty. As has been stated by many representatives today, the responsibility-to-protect concept has many aspects that violate the Charter of the United Nations, which guarantees the sovereignty of the State from illegal external political interventions and armed invasions. The responsibility-to-protect concept has to date been abused in the form of illegal aggression, illegal interference and the overthrow of Governments of small developing countries.

There are many different views among States Members of the United Nations on the controversial responsibility-to-protect concept. The military invasions of Iraq, Libya and Syria, under the pretext of protecting civilians, have shown the real purpose of the responsibility-to-protect concept, which has been hastily implemented without the consensus of the international community.

We should therefore continue to discuss the concept informally until we reach consensus on the concept's principles and scope. Accordingly, the Democratic People's Republic of Korea will vote against the proposed inclusion for formal discussion of the responsibility-to-protect concept in the agenda of the seventy-second session of the General Assembly.

Ms. Moldoisaeva (Kyrgyzstan) (*spoke in Russian*): On behalf of the delegation of Kyrgyzstan, allow me

to congratulate you, Mr. President, on your election to the presidency of the General Assembly at its seventy-second session.

The principle of the responsibility to protect is not universally recognized. It is not unambiguously supported by all the States Members of the United Nations. It is a concept rather than an international norm or standard. In this respect, we underscore the fact that the violation of a State's sovereignty and interference in its internal affairs for humanitarian and other reasons without the consent of the Government is simply unacceptable.

Basing ourselves on that, the Kyrgyz Republic will vote against the inclusion of the principle of the responsibility to protect in the official agenda of the seventy-second session of the General Assembly.

The President: We have heard the last speaker in explanation of vote before the voting.

The General Assembly will now take a decision on the question of the inclusion in the agenda of the current session of the item entitled "The responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity".

A recorded vote was taken.

In favour:

Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Guatemala, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Nauru, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Yemen

Against:

Belarus, Bolivia (Plurinational State of), Burundi, Chad, China, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, Eritrea, Iran (Islamic Republic of), Kyrgyzstan, Myanmar, Namibia, Nicaragua, Pakistan, Russian Federation, Sudan, Syrian Arab Republic, Venezuela (Bolivarian Republic of), Zimbabwe

Abstaining:

Algeria, Angola, Antigua and Barbuda, Bhutan, Brunei Darussalam, Cameroon, Colombia, Gabon, Jordan, Kenya, Lao People's Democratic Republic, Malawi, Mali, Serbia, Togo, United Republic of Tanzania, Viet Nam

The General Assembly approved the recommendation by 113 votes to 21, with 17 abstentions.

[Subsequently, the delegation of Kiribati informed the Secretariat that it had intended to vote in favour.]

The President: Before giving the floor to speakers in explanation of vote, may I remind delegations that explanations are limited to 10 minutes and should be made by delegations from their seats.

Mr. Moussa (Egypt): At the outset, allow me to join others in congratulating you, Sir, on your election as President of the General Assembly.

My delegation takes the floor in explanation of vote after the voting. We regret that the matter of including an agenda item entitled "The responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity" on the agenda of the General Assembly at its seventy-second session has come to such a conclusion. We note that the voting in and of itself dispels any misconceptions or illusions that there is consensus on the notion of responsibility to protect or on how to move forward in that regard. We would like to affirm Egypt's steadfast and unwavering commitment to the noble goal of the protection of civilians.

Disturbed by increasing attacks on health-care workers and facilities and growing impediments to the delivery of health care in a wide range of contemporary conflicts, Egypt and four other sponsors and penholders drafted and successfully adopted Security Council resolution 2286 (2016) on the protection of health care in armed conflict during our presidency of the Security Council last year. The resolution sent a strong message from the Council that attacks targeting hospitals and medical workers were unacceptable and would not be tolerated. It also urged States to ensure accountability regarding the perpetration of crimes targeting health-care facilities or health-care personnel exclusively engaged in medical duties.

Nevertheless, we believe that the notion of the responsibility to protect still contains a number of political and legal gaps that, if left unattended, would do more harm than good with regard to universal acceptance. Such gaps must first be addressed, and a consensus reached on the conceptual framework of the notion, before any further steps are taken to mainstream the notion of the responsibility to protect across the United Nations system.

Moving forward, we ask those who put forward the proposal to abide by their promise that the decision to include the agenda item will be applied only to the seventy-second session of the General Assembly and that no resolutions will be brought forth following the General Assembly's consideration of the item.

Mr. Gafoor (Singapore): I wish to make an explanation of vote after the voting on the inclusion in the agenda of the General Assembly its seventy-second session an item on the responsibility to protect, the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity.

Singapore voted to support the inclusion of the agenda item. As a member of the Group of Friends on the Responsibility to Protect, Singapore has always supported the right of delegations to discuss the issue in the General Assembly. Singapore would have preferred that the issue be resolved by consensus. Unfortunately, consensus was not possible in this instance.

Deep differences remain among Member States on the concept of the responsibility to protect, and we are aware that the issue continues to divide many Member States. In that regard, we welcome the assurance given by the Permanent Representatives of Australia and Ghana that today's decision concerns the inclusion of the proposed item in the agenda of the seventy-second session only. We also welcome the clear and categorical assurance that they will not bring forward any draft resolution under the agenda item and that their intention is to foster a dialogue.

In our view, the General Assembly is indeed the forum for an inclusive and open-ended dialogue among all Member States, including on difficult issues. However, we underline the need for a dialogue on this difficult issue, to be based on the principles of the Charter of the United Nations and international law. That dialogue must also be conducted on the basis of mutual respect and understanding and with sensitivity to the different views of Member States. We should all be careful to avoid using a discussion on the agenda item to further deepen divisions and differences among Member States. In particular, we should avoid going in the direction of country-specific resolutions, as such an approach will not help to build confidence or help to build consensus.

Finally, we note and acknowledge that, in the 2005 World Summit Outcome document, all our leaders stressed the need for the General Assembly to continue consideration of the responsibility to protect. In that context, we are hopeful that an open-ended debate on the issue in the General Assembly will contribute to Member States finding more common ground on how the international community can better prevent genocide, war crimes, ethnic cleansing and crimes against humanity.

Mr. Djani (Indonesia): Like other delegations, I wish you all the best, Mr. President, in assuming your very important post, and you can rest assured of our support. I would also like to welcome our colleague and brother from the Pacific, the Ambassador of Kiribati, to the General Assembly.

Since the 2005 World Summit, 12 years ago, when world leaders first considered the subject of the responsibility to protect, it has been recognized as a complex and intricate issue, with no agreement on its definition or implementation. For Indonesia, our Constitution mandates the Government and people to promote and protect the human rights of everyone as a priority. At the same time, the principle of upholding humanity remains one of Indonesia's long-standing norms and values. It remains the conviction of the Republic of Indonesia that civilians must be protected

from crimes against humanity and atrocities that are committed in various parts of the world.

Noting the sensitivity of the third pillar, Indonesia remains of the view that promoting the principle of the responsibility to protect, particularly the aspects of prevention, capacity-building and assistance, are key in gaining greater acceptance from Member States on the concept of the responsibility to protect through a transparent and open discussion. It is important to ensure that the first pillar, on State responsibility, and the second pillar, on international community assistance, take precedent. What is most important is to strengthen the role of prevention throughout the discussion.

In that context, Indonesia believes that the inclusion of an item on the responsibility to protect on the agenda of the seventy-second session of the General Assembly would be an opportunity for Member States to enrich their knowledge on how States' primary responsibility should be strengthened, by intensifying the exchange of views and learning from the experience of others, to avoid atrocities, genocide, ethnic cleansing and crimes against humanity.

We also believe that our discourse on the concept of the responsibility to protect should not and must not in any way be used to downgrade the sovereignty of any country. Any intention to politicize such a dialogue in the future would certainly impede our efforts to increase our understanding of that important concept and would go against the genuine and noble efforts of the international community to prevent the occurrence of atrocities, genocide, ethnic cleansing and other crimes against humanity. Indonesia believes, as is stipulated in the Charter of the United Nations, that we must always respect the sovereignty of States. While acknowledging the sovereignty of Member States, as well as their primary responsibility to protect their own peoples, the inclusion of the responsibility to protect on the agenda of the General Assembly without any expected outcome, as proposed by one of the sponsors, should not lead to the naming and shaming of any particular countries or regions but should ensure greater understanding. For that reason, Indonesia voted in favour of including the item on the agenda of the Assembly at its seventy-second session.

Mr. Luque Márquez (Ecuador) (*spoke in Spanish*): I would like to congratulate you, Mr. President, on your assumption of your duties, and to assure you of Ecuador's support in your stewardship of the General Assembly at its forthcoming session.

Ecuador participated actively in all the informal interactive dialogues and panel discussions on the responsibility to protect, at which it expressed its position on this very important topic. With our vote on the issue, we affirm our view that the very concept of the responsibility to protect is still being analysed and discussed by the States Members of the United Nations, and that we should therefore continue our consultations on it through such informal interactive dialogues if we are make progress towards defining that concept, and particularly with a view to establishing the conceptual, institutional and political dimensions of implementing the responsibility to protect.

Ecuador recognizes that the responsibility to protect citizens is intrinsic to State sovereignty. However, we reject the notion of the preventive use of force as part of the concept of the responsibility to protect. We believe that any use of force outside the framework provided by the Charter of the United Nations is illegal and illegitimate, has no legal standing and represents an act of aggression against a sovereign State, regardless of who commits such acts and how they justify it. We will continue to participate in every forum with the aim of achieving consensus on this subject, although, regrettably, today's vote may mean that we have to distance ourselves from the consensus. In any event, if the discussion is to make progress, we must all show the necessary political will if we are to act speedily and decisively so that States can be certain that the concept of the responsibility to protect is used exclusively to prevent the crimes outlined in paragraphs 138 and 139 of resolution 60/1, of 24 October 2005. It should not be used as a pretext for intervening in another country's affairs or for political purposes, which of course is no real help to the victims of such crimes and would in fact be a violation of the Charter.

Mr. Cheng Lie (China) (*spoke in Chinese*): I would like to congratulate you, Mr. President, on your assumption of your important post and to assure you of the Chinese delegation's support.

China voted against including this item in the General Assembly's agenda. In our view, the 2005 World Summit Outcome document includes a clear description of the concept of the responsibility to protect and makes it clear that the scope of its application must be confined to four specific crimes — genocide, ethnic

cleansing, war crimes and crimes against humanity. All the conditions outlined in that document should be strictly met. There are considerable differences of opinion among Member States about how to implement the responsibility to protect, and China believes that the Assembly should continue its frank informal dialogues on the responsibility to protect rather than trying to force through controversial proposals. Putting controversial issues and proposals to a vote could lead to division among Member States, to the detriment of the working atmosphere of the seventy-second session, which has only just begun. Nor is it in the interests of discussions of the responsibility to protect. For those reasons, China voted against including the responsibility to protect on the agenda of the Assembly at its seventy-second session.

Mr. Zambrana (Plurinational State of Bolivia) (*spoke in Spanish*): If I may, Mr. President, I would first like to congratulate you on your election, wish you every success during your stewardship of the General Assembly at its new session and assure you of my delegation's support for you in your work.

As a peaceloving promoter of a culture of peace, Bolivia abhors the notion of conflict and believes that it should be resolved through dialogue and preventive diplomacy. We are a State that respects international law and is party to a number of international instruments such as the Rome Statute, which has established mechanisms to prosecute and punish crimes against humanity, war crimes and genocide, which we firmly condemn and entirely reject. In that regard, we believe that the responsibility to protect is an obligation that is exclusively incumbent upon individual States towards their own people, and a primary responsibility that should be expressed in respect for and guarantees of fundamental rights and their protection.

With our vote, we reiterate that there is no consensus agreement on the concept and definition of the responsibility to protect or on its interpretation or the mechanisms for implementing it. If the concept of the responsibility to protect is not based on clear definitions and supported by exact terms, it runs a very high risk of becoming a tool for interfering in States' internal affairs and achieving political ends, as we have seen in a number of scenarios on the agenda of the Organization. It is important to remember the terrible consequences for the world that can result from interventionism and regime change in the name of the responsibility to protect.

We believe that any action or threat of unilateral action by one State against another is contrary to the principles of multilateralism of the Charter of the United Nations and the notion of the responsibility to protect.

Ms. Bird (Australia): I would like to take this opportunity to briefly thank all the member States that supported Australia and Ghana's initiative. Given the overwhelming number of supporters it found, I will not be able to thank all delegations in person, so I would like to formally record our appreciation for the fact that so many member States turned up on the eve of the busiest week on our calendar and said yes to convening a debate on prevention and the responsibility to protect. I would also like to encourage all Member States, regardless of their views on the responsibility to protect, to participate in the debate on this subject when it is held. The fight to get it on the agenda has not diminished our commitment to trying to establish more common ground on the substance of these issues, so that the United Nations and its Members States can work better together in order to stamp out such egregious crimes. I would like to thank delegations again and wish all of them the best of luck for next week.

The President: We have heard the last speaker in explanation of vote.

We shall now proceed with the next part of the item on our agenda.

In paragraph 94, in connection with item 167 of the draft agenda, "Financing of the United Nations Mission for Justice Support in Haiti", the General Committee decided to recommend its inclusion under heading I.

May I take it that the Assembly approves this recommendation?

It was so decided.

The President: In paragraph 95, in connection with item 172 of the draft agenda, entitled "Observer status for the International Network for Bamboo and Rattan in the General Assembly", the General Committee decided to recommend its inclusion under heading I.

May I take it that the Assembly approves this recommendation?

It was so decided.

The President: In paragraph 96, in connection with item 173 of the draft agenda, entitled "Observer status for the ASEAN+3 Macroeconomic Research Office in

the General Assembly", the General Committee decided to recommend its inclusion under heading I.

May I take it that the Assembly approves this recommendation?

It was so decided.

The President: In paragraph 97, in connection with item 174 of the draft agenda, entitled "Observer status for the Eurasian Group on Combating Money Laundering and Financing of Terrorism in the General Assembly", the General Committee decided to recommend its inclusion under heading I.

May I take it that the Assembly approves this recommendation?

It was so decided.

The President: In paragraph 98, in connection with item 175 of the draft agenda, entitled "Observer status for the Ramsar Convention on Wetlands Secretariat in the General Assembly", the General Committee decided to recommend its inclusion under heading I.

May I take it that the Assembly approves this recommendation?

It was so decided.

The President: In paragraph 99, in connection with item 176 of the draft agenda, entitled "Observer status for the Global Environment Facility in the General Assembly", the General Committee decided to recommend its inclusion under heading I.

May I take it that the Assembly approves this recommendation?

It was so decided.

The President: We turn now to the agenda recommended by the General Committee in paragraph 100 of its report for adoption by the General Assembly, taking into account the decisions just adopted with respect to the draft agenda.

Bearing in mind that the agenda is organized under nine headings, we shall consider the inclusion of items under each heading as a whole. I should like to remind members once again that, at present, we are not discussing the substance of any item.

Items 1 and 2 have already been dealt with. We shall now turn to items 3 to 8. May I take it that these items are included in the agenda?

It was so decided.

The President: We turn now to the inclusion of the items listed under heading A, "Promotion of sustained economic growth and sustainable development in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences".

May I take it that the items listed under heading A are included in the agenda?

It was so decided.

The President: We now turn to heading B, entitled "Maintenance of international peace and security". May I take it that the items listed under heading B are included in the agenda?

It was so decided.

The President: I now give the floor to the representative of Armenia.

Mr. Margaryan (Armenia): Since this is the first time the delegation of Armenia is taking the floor, let me extend our congratulations to you, Mr. President, on your assumption of the General Assembly presidency and assure you of our delegation's full support to you throughout the work of the Assembly.

My delegation wishes to state that Armenia dissociates itself from the consensus to include item 40 in the agenda of the seventy-second session of the General Assembly. I ask that Armenia's position be duly reflected in the official record of the meeting.

The President: We now turn to heading C, entitled "Development of Africa". May I take it that the item listed under this heading is included in the agenda?

It was so decided.

The President: Now we come to heading D, entitled "Promotion of human rights". May I take it that the items listed under heading D are included in the agenda?

It was so decided.

The President: Heading E is entitled "Effective coordination of humanitarian assistance efforts". May I take it that the item listed under this heading is included in the agenda?

It was so decided.

The President: Next we turn to heading F, entitled "Promotion of justice and international law".

May I take it that the items listed under heading F are included in the agenda?

It was so decided.

The President: We now turn to heading G, entitled "Disarmament". May I take it that the items listed under this heading are included in the agenda?

It was so decided.

The President: Heading H is entitled "Drug control, crime prevention and combating international terrorism in all its forms and manifestations". May I take it that the items listed under this heading are included in the agenda?

It was so decided.

The President: Lastly, we turn to heading I, entitled "Organizational, administrative and other matters".

May I take it that the items listed under heading I are included in the agenda?

It was so decided.

The President: We turn now to section IV of the report of the General Committee on the allocation of items.

The General Committee took note of the information contained in paragraphs 101 to 103. May I take it that it is the wish of the General Assembly to take note of the information contained in paragraph 103 concerning the granting of observer status?

It was so decided.

The President: We shall now turn to the recommendations contained in paragraphs 105 to 109. We shall take up the recommendations one by one. Before we proceed, may I remind members that the item numbers cited here refer to the agenda in paragraph 100 of the report before us, namely, document A/72/250.

We shall now turn to paragraphs 105 (a) to (j), which relate to a number of plenary items.

May I take it that it is the wish of the General Assembly to take note of all of the information that the General Committee wishes it to take note of and to approve all of the recommendations of the General Committee contained in paragraphs 105 (a) to (j)?

It was so decided.

The President: We turn now to paragraphs 106 (a) to (c), which relate to sub-item (b) of item 52, entitled "Joint panel discussion of the First and Fourth Committees on possible challenges to space security and sustainability", and item 99, entitled "General and complete disarmament" and sub-item (ii) of item 99, entitled "Nuclear disarmament verification".

May I take it that the General Assembly approves the recommendations contained in paragraphs 106 (a) to (c)?

It was so decided.

The President: We turn now to paragraphs 107 (a) and (b), which relate to sub-item (e), entitled "Financial inclusion for sustainable development", and sub-item (f), entitled "Promotion of international cooperation to combat illicit financial flows in order to foster sustainable development", of item 17, and sub-item (j) of item 19, entitled "Combating sand and dust storms".

May I take it that the General Assembly approves the recommendations contained in paragraphs 107 (a) and (b)?

It was so decided.

The President: We turn now to paragraphs 108 (a) to (c), which relate to item 137, entitled "Programme planning", item 146, entitled "Administration of justice at the United Nations", and item 165, entitled "Financing of the United Nations Mission for Justice Support in Haiti".

May I take it that the General Assembly approves the recommendations contained in paragraphs 108 (a) to (c)?

It was so decided.

The President: We turn now to paragraphs 109 (a) to (f), which relate to item 82, entitled "Expulsion of aliens", item 170, entitled "Observer status for the International Network for Bamboo and Rattan in the General Assembly", item 171, entitled "Observer status for the ASEAN+3 Macroeconomic Research Office in the General Assembly", item 172, entitled "Observer status for the Eurasian Group on Combating Money Laundering and Financing of Terrorism in the General Assembly", item 173, entitled "Observer status for the Ramsar Convention on Wetlands Secretariat in the General Assembly", and item 174, entitled "Observer status for the Global Environment Facility in the General Assembly".

May I take it that the General Assembly approves the recommendations contained in paragraphs 109 (a) to (f)?

It was so decided.

The President: We shall now turn to paragraph 110 of the report of the General Committee on the allocation of items to the plenary and to each Main Committee.

I first turn to the list of items recommended by the General Committee for consideration directly in plenary meetings under all the relevant headings.

Taking into account the decisions just adopted, may I consider that the General Assembly approves the allocation of the items listed for plenary meetings?

It was so decided.

The President: We come next to the list of items that the General Committee recommends for allocation to the First Committee under all the relevant headings.

Taking into account the decisions just adopted, may I take it that the General Assembly approves the allocation of these items for consideration by the First Committee?

It was so decided.

The President: We turn now to the list of items that the General Committee recommends for allocation to the Special Political and Decolonization Committee (Fourth Committee) under all the relevant headings.

Taking into account the decisions just adopted, may I consider that the General Assembly approves the allocation of these items for consideration by the Special Political and Decolonization Committee (Fourth Committee)?

It was so decided.

The President: We come now to the list of items that the General Committee recommends for allocation to the Second Committee under all the relevant headings.

Taking into account the decisions just adopted, may I consider that the General Assembly approves the allocation of these items for consideration by the Second Committee?

It was so decided.

The President: We turn now to the list of items that the General Committee recommends for allocation to the Third Committee under all the relevant headings.

Taking into account the decisions just adopted, may I take it that the General Assembly approves the allocation of these items for consideration by the Third Committee?

It was so decided.

The President: Next, we come to the list of items that the General Committee recommends for allocation to the Fifth Committee under all the relevant headings.

Taking into account the decisions just adopted, may I take it that the General Assembly approves the allocation of these items for consideration by the Fifth Committee?

It was so decided.

The President: Lastly, we come to the list of items that the General Committee recommends for allocation to the Sixth Committee under all the relevant headings.

Taking into account the decisions just adopted, may I take it that the General Assembly approves the allocation of these items for consideration by the Sixth Committee?

It was so decided.

The President: The General Assembly has thus concluded its consideration of the first report of the General Committee. I wish to thank all the members of the Assembly for their cooperation.

I would now like to draw the attention of representatives to a matter concerning the participation of the Holy See, in its capacity as an observer State, in the sessions and work of the General Assembly.

In accordance with resolution 58/314, of 1 July 2004, and the note by the Secretary-General contained in document A/58/871, the Holy See, in its capacity as an observer State, will participate in the work of the seventy-second session of the General Assembly, with no further need for a precursory explanation prior to any intervention.

I would also like to draw the attention of representatives to a matter concerning the participation of the State of Palestine, in its capacity as an observer State, in the sessions and work of the General Assembly.

In accordance with resolutions 3237 (XXIX), of 22 November 1974; 43/177, of 15 December 1988; 52/250, of 7 July 1998; resolution 67/19, of 29 November 2012, and the note by the Secretary-General contained

in document A/52/1002, the State of Palestine, in its capacity as an observer State, will participate in the work of the seventy-second session of the General Assembly, with no further need for a precursory explanation prior to any intervention.

In addition, I would like to draw the attention of representatives to a matter concerning the participation of the European Union, in its capacity as observer, in the sessions and work of the General Assembly.

In accordance with resolution 65/276, of 3 May 2011, and the note by the Secretary-General contained in document A/65/856, observers of the European Union will participate in the work of the seventy-second session of the General Assembly, with no further need for a precursory explanation prior to any intervention.

The meeting rose at 12.10 pm.